

FILED

FEB 08 2017

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID TACKE,

Defendant.

CR 04-59-M-DWM-1

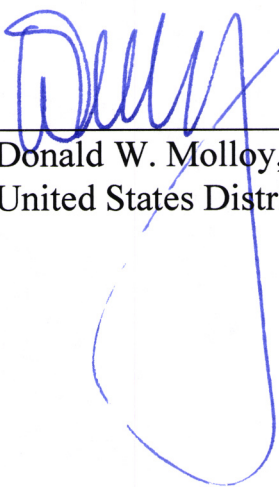
ORDER

In mid-January 2017, the Defendant filed a pro se request to have the garnishment proceedings in this matter transferred to Washington or Oregon based on his current residence. (Docs. 176, 177.) Subsequently, the United States filed a motion to dismiss the garnishment on the grounds that the Garnishee's answer advises that the Defendant's wages are below the amount that is exempt pursuant to 15 U.S.C. § 1673(a), (*see* Doc. 175). (Doc. 178.) The United States further indicates that dismissal would moot the Defendant's motion to transfer. The Defendant did not respond to the United States' motion. *See* L.R. 7.1(d)(1)(B)(ii) ("[F]ailure to file a response brief may be deemed an admission that the motion is well-taken.").

Accordingly, IT IS ORDERED that the United States' motion (Doc. 178) is GRANTED. The Writ of Garnishment (Doc. 170) is DISMISSED.

IT IS FURTHER ORDERED that the Defendant's pro se request to transfer (Docs. 176, 177) is DENIED as MOOT.

Dated this 8th day of January, 2017.



Donald W. Molloy, District Judge
United States District Court